IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE SIXTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 9872 of 2005

Between:

IrrigationDepartment Employees Mutually Aided Coopertive Building Society Ltd., Parvathipuram, Vizianagaram District
rep by Joint Secretary and Member K. Sasibhushana rao S/o K. Satyanarayana Rao R/o Church St. Belagam
Parvathipuram, Vizianagaram District

..... PETITIONER

AND

1 The District Collector, Vizianagaram
2 The Special Chief Secretary and Chief Commissioner of Land Administration, Government of A.P., Hyderabad

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more particularly one in the nature of a Writ of Mandamus declaring the action of the first respondent in not forwarding the proposals to the Government for alienation of vacant land of Irrigation Department in Survey No. 569 of Belagam Village, Parvathipuram, Vizianagram District, admeasuring Acs. 0.93 in favour of petitioner society in accordance with the guidelines issued by Government in G.O.Ms. No. 416 Revenue (ASNI) Department dated 18-3-2003 and G.O.Ms. No. 244, Revenue (ASN.I) Department dated 28-2-2005 as arbitrary and illegal and consequently direct the first respondent to forward the proposal to the Government and pass such other order or orders, as this Hon'ble Court may deem fit and proper

Counsel for the Petitioner: MR.S.SATYAM REDDY

Counsel for the Respondent No.: GP FOR REVENUE

The Court at the stage of admission made the following :

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ORAL ORDER:

Heard both sides.

In this Writ Petition, petitioners are seeking a Writ of Mandamus, declaring the action of the first respondent in not forwarding the proposals to the Government for alienation of vacant land of irrigation Department in S.No. 569 of Belagam Village, Parvathipuram, Vizianagaram District admeasuring Ac. 0.93 in favour of the petitioner society in accordance with the guidelines issued by the Government in G.O.Ms.No. 416 Revenue (ASN.I) Department dated 18.3.2003 and G.O.Ms. No. 244, Revenue (ASN.I) Department dated 28.2.2005 as arbitrary and illegal and consequently direct the first respondent to forward the proposals to the Government.

The grievance of petitioners is that the first respondent is not forwarding the proposals to the Government for alienation of vacant land of irrigation department.

In the circumstances, without going into the merits of the case, the first respondent is directed to consider the case of the petitioner in forwarding the proposals to the Government for alienation of Vacant land of irrigation Department as per the recommendation of the Sub Collector, Parvathipuram dated 9.3.2005 and on the basis of the proposals of the Mandal Revenue Officer, Parvathipuram dated 4.11.2004, within a period of eight weeks from the date of receipt of a copy of this order.

Accordingly, the Writ Petition is disposed of. No order as to costs.

ELIPE DHARMA RAO,J

DATED: 06.06.2005

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To

1 The District Collector, Vizianagaram
2 The Special Chief Secretary and Chief Commissioner of Land Administration, Government of A.P., Hyderabad.

3. Two CCto G.P. for Revenue, High Court of A.P., Hyderabad (OUT)

4. Two CD copies.